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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Boehnke, et al. §
Attorney Docket No: DP-305036 §
Serial No: 10/046,859 § Group Art Unit: 1764 §
Filed: 15 January 2002 § Examiner: Tran, Hien Thi §
Title: DEVICES FOR MANAGING
HOUSING EXPANSION IN
EXHAUST EMISSION CONTROL
DEVICES §
§

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Katie Hales
Katie Hales

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313 - 1450

RESPONSE TO OFFICE ACTION

Dear Sir:

In response to the Office Action mailed 03 March 2005, please enter the following
RESTRICTION ELECTION to the above-identified patent application as follows:

Applicant provisionally elects claims 1-7, identified as Invention I in the Office Action,
with traverse.

Applicant respectfully requests that, upon the allowance of any one generic claim, the
restriction be withdrawn and that all of the claims be subject to substantive examination.

Applicant respectfully objects to the classification of claims 17 – 24, drawn to an
emission control device and classified in class 422, subclass 174 – Electrical Type. Subclass 174
of class 422 is defined as being indented under subclass 173 – With Heat Exchanger for reaction

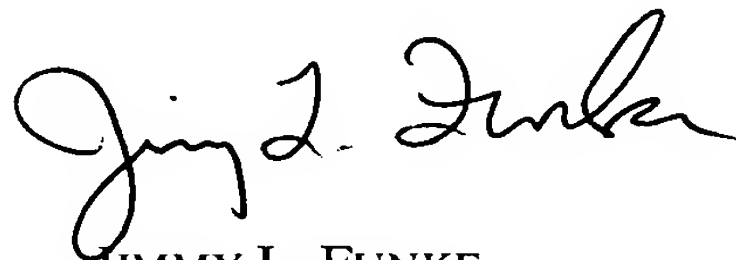
chamber or reactants located therein (indented under subclass 168- Waste Gas Purifier; indented under subclass 129 – Chemical Reactor), and describes an “[a]pparatus wherein the heat exchange means includes an electrical heater.”

Claim 17 of the invention does not teach or describe an electrical type device. Claim 17 is set forth below.

17. An emission control device, comprising:
a treatment element comprising a silicon-carbide substrate, contained within a metallic housing to permit expansion of the treatment element when the emission control device is heated to an operating temperature; and ports in the housing to provide for inlet and exhaust of a gas;
the treatment element being positioned and affixed within the housing by a gasket being particularly adapted to simultaneously inhibit the flow of gas in a space defined by the treatment element and the housing between the ports in the housing while permitting the exchange of thermal energy between the gas and at least one of the housing and the treatment element by at least one channel in the gasket to permit access of the gas in proximity of the housing or the treatment element for a portion of the interface between the gasket and the housing or the treatment element.

Therefore, reconsideration of the classification of claims 17-24 is respectfully requested.

Respectfully submitted,



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Dated: 10-Mar-2005